

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

JUN 19 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of the Petition of

HUGHES COMMUNICATIONS
GALAXY, INC.

To Amend Parts 2, 25 and 90
of the Commission's Rules To Allocate
Spectrum for the Fixed Satellite Service

RM No. 8638

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REPLY OF HUGHES COMMUNICATIONS GALAXY, INC.

Hughes Communications Galaxy, Inc. ("HCG") submits this Reply in support of its petition to institute a rulemaking proceeding to amend Part 2 of the Commission's rules to allocate spectrum for the fixed satellite service ("FSS"), and to make conforming changes to the service rules contained in Parts 25 and 90. Specifically, HCG has requested that the Commission amend the Table of Frequency Allocations contained in section 2.106 of the Commission's rules, and also amend the service rules contained in sections 25.202, 25.204, and 90.103, to allow use of the 13.75--14.0 GHz band by FSS uplinks. COMSAT World Systems ("COMSAT") filed comments urging the Commission to grant HCG's petition, and International Private Satellite Partners, Ltd., d/b/a Orion Atlantic ("Orion") filed a statement in support of HCG's petition.^{1/} Significantly, no comments were filed in opposition to the petition.

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^{1/} HCG also filed comments in support of the petition.

The petition and the comments of COMSAT and Orion amply demonstrate that the Commission should grant HCG's petition and allocate the 13.75--14.0 GHz band for use by FSS uplinks. As HCG stated in its petition and as Orion notes, the proposed amendments to the Commission's rules will help correct the existing 500 MHz imbalance between the amount of uplink and downlink frequencies that are available for FSS use. The proposed amendments would make available an additional 250 MHz of FSS uplink spectrum that can be "paired" with the 10.95--11.2 GHz and 11.45--11.7 GHz downlink bands, two bands that are available only for international service. Making this additional spectrum available will decrease the shortage of available spectrum at any given orbital location. Moreover, both HCG's petition and COMSAT's comments demonstrate that the proposed amendments to the Commission's rules appropriately would implement the Final Acts of the 1992 World Administrative Radio Conference.

Finally, allocating the 13.75--14.0 GHz band for international FSS uplinks would serve the public interest. First, it would maximize the efficient use of orbital spectrum resources. Second, it would further the competitiveness of U.S. satellite operators in the provision of private international satellite services. Promoting such competition is particularly important as other countries increasingly have begun to reserve frequencies and to provide satellite services at orbital locations that are heavily used by U.S. systems. By granting HCG's petition, the Commission would enable U.S. FSS satellite operators to compete more effectively in the provision of international satellite services.

CONCLUSION

For these reasons, and the reasons stated in HCG's petition for rulemaking, the Commission should grant HCG's petition for rulemaking, and it further should amend the Table of Frequency Allocations contained in section 2.106 of the Commission's rules, and also amend sections 25.202, 25.204, and 90.103 of the rules, to allow use of the 13.75--14.0 GHz band for FSS uplinks.

Respectfully submitted,

HUGHES COMMUNICATIONS
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CERTIFICATE OF SERVICE

I hereby certify that I have this 19th day of June, 1995, caused copies of the foregoing "Reply of Hughes Communications Galaxy, Inc." to be served by hand on the following:

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